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Plaintiffs' Lead Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: MCKINSEY & CO., INC.
NATIONAL PRESCRIPTION OPIATE
CONSULTANT LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 21-md-02996-CRB (SK)

**PLAINTIFF STEERING COMMITTEE'S
NOTICE OF MOTION AND UNOPPOSED
PLAINTIFF STEERING COMMITTEE
MOTION FOR INTERIM COMMON
BENEFIT FEE AND COST
ALLOCATION; ~~PROPOSED~~
ORDER**

Date: TBD
Time: TBD
Courtroom: Courtroom 6, 17th Floor
Judge: The Honorable Charles R. Breyer

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, at a date and time to be determined, in Courtroom 6, before the Honorable Charles R. Breyer of the United States District Court of the Northern District of California, 17th Floor of the San Francisco Courthouse located at 450 Golden Gate Avenue, San Francisco, California 94102, Plaintiffs' Lead Counsel on behalf of the Plaintiff Steering Committee will move for the interim common benefit fee and cost allocation.

This Motion is based on this Notice, the accompanying Unopposed Motion for Interim Common Benefit Fee and Cost Allocation, and the Proposed Order filed herewith.

MOTION

Plaintiffs' Lead Counsel on behalf of the Plaintiff Steering Committee hereby moves the Court for an Order granting the requested interim common benefit fee and cost allocation. Based on the Court's Pre-Trial Order No. 9: Establishing A Common Benefit Fee and Expense Fund (ECF No. 567), Lead Counsel has applied the cost and time protocols and made required adjustments (i.e., travel costs). Lead Counsel discussed with each Plaintiff Steering Committee member the process, and all support this Petition. Plaintiffs' counsel will submit the time and costs *in camera* via e-mail to crbcrd@cand.uscourts.gov promptly after filing this Notice of Motion and Unopposed Motion.

Time and costs devoted to the Third Party Payor (TPP) case shall be paid once the claim period concludes and the common benefit amount is known. Time and costs incurred prosecuting the Neo-natal Abstinence Syndrome (NAS) cases will be compensated should those cases resolve in Plaintiffs' favor. The School District case's common benefit was previously allocated based on the Court's fee and cost order.

DATED: December 12, 2024

Respectfully submitted,

By: /s/ Elizabeth J. Cabraser /by Eric B. Fastiff

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~~PROPOSED~~ ORDER

The Plaintiff Steering Committee's requested interim common benefit fee and cost allocation is granted. **IT IS SO ORDERED.**

DATED: December 18, 2024



THE HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE